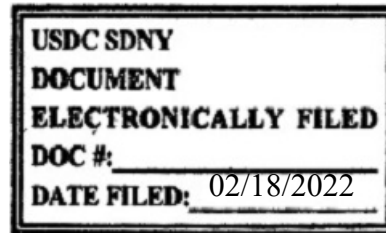


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRIEME ENERGY HOLDINGS, INC., et al.,
Plaintiffs,
-against-
INNOGY RENEWABLES US LLC, et al.,
Defendants.



20-CV-5015 (VEC) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons discussed on the record during today's telephonic conference:

1. Insofar as plaintiffs' letter-application dated February 17, 2022 (Dkt. No. 118) seeks emergency relief in advance of the continued Puterbaugh deposition, it is DENIED.

2. Insofar as the February 17 letter-application challenges the unlogged redactions made by defendants for reasons other than privilege to certain documents first produced in October 2021, the Court requires further briefing. Defendants' responding letter-brief is due no later than **February 23, 2022**. In addition to responding to plaintiffs' argument as to the specific documents identified in the February 17 letter-application, defendants shall **show cause why they should not be compelled to remove any and all redactions that they have applied for reasons other than privilege to discoverable documents, and re-produce the affected documents in unredacted form (or, if applicable, redacted only for privilege)**. Plaintiff's optional reply brief is due no later than **February 25, 2022**.

3. Exhibits 1-4 to the February 17 letter-application were placed under temporary electronic seal at 1:37 this afternoon – after defendants' counsel noted, during today's teleconference, that they were designated "Confidential" in discovery. No later than **February 23, 2022**, defendants shall either (a) file a sealing motion in accordance with § 3 of Judge Moses's Individual Practices and § 6 of the Court's ECF Rules & Instructions, or (b) advise the Court by letter, filed on ECF,

that Exhibits 1-4 may be unsealed. The Court observes, for the guidance of counsel, that it is not obvious that any of those exhibits would qualify for sealing under *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006), or its progeny.

Dated: New York, New York
February 18, 2022

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge